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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,562	12/19/2001	Henry Dexter Chadwick	SVL920010004US1	1023

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KONRAD RAYNES & VICTOR, LLP  
315 S. BEVERLY DRIVE  
# 210  
BEVERLY HILLS, CA 90212

EXAMINER
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LE, UYEN T

ART UNIT	PAPER NUMBER
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2171

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DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/027,562

Applicant(s)

CHADWICK, HENRY DEXTER

Examiner

Uyen T. Le

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to because it is not clear how branching is determined in Figures 6, 8. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5-8, 13, 14, 21-24, 29, 30, 37-40, 45, 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because it is not clear what applicant intend for the "type" to be in "metadata type" and "field type".

The art rejection of claims 5-8, 13, 14, 21-24, 29, 30, 37-40, 45, 46 has not been applied because the limitations cannot be ascertained.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 9, 11, 15-20, 25, 27, 31-36, 41, 43, 47, 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Nelson et al (US 6,498,897).

Regarding claim 1, Nelson discloses all the claimed subject matter (see Figures 4, 5, column 4, line 59- column 5, line 48). The claimed essence reads on the complex asset. The claimed metadata object reads on the header (see the abstract). The claimed unique identifier assigned to the essence reads on the media file name. Furthermore, any file has to be stored in a file format. Note also that the first file format and second file format are not required to be distinct. Nelson discloses that the metadata and essence had been extracted and stored in data store when Nelson shows that the header information is extracted from the media file during the installation of the media file and that the client system can receive header information separate from the packet stream (see column 5, lines 24-48).

Claims 2, 3 merely read on the fact that header information is stored separate from the packet stream (see column 5, lines 24-48).

Claim 4 is met by the data structure shown in Figure 3.

Regarding claim 9, Nelson discloses essence data of multimedia (see Figure 2).

Regarding claim 11, the claimed "receiving a unique identifier" reads on the fact that the proxy server receives request for a file. The claimed "accessing the essence...with the unique identifier" reads on the fact that the method of Nelson accesses media file system 50 and database 48. The claimed "generating at least...data structure" is met by the fact that the method of Nelson creates artificial headers (see the abstract). The claimed "assembling a second file...unique identifier" reads on the playback media file in the method of Nelson.

Regarding claims 15, 16, Nelson discloses first and second file formats being same or different formats (see Figures 2, 3).

Claims 17-20, 25, 27, 31, 32 correspond to a system for claims 1-4, 9, 11, 15, 16 respectively, thus are rejected for the same reasons stated in claims 1-4, 9, 11, 15, 16 discussed above.

Claims 33-36, 41, 43, 47, 48 correspond to a computer program product for claims 1-4, 9, 11, 15, 16 respectively, thus are rejected for the same reasons stated in claims 1-4, 9, 11, 15, 16 discussed above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 10, 12, 26, 28, 42, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson et al (US 6,498,897), in view of applicant's admitted prior art (AAPA) shown in Figures 2a, 2b.

Regarding claim 10, although Nelson does not specifically show first file format of MXF and metadata objects implemented in KLV coding scheme, AAPA shows that it is well known in the art to include MXF for file format and KLV coding scheme for metadata objects (see Figures 2a, 2b). Therefore, it would have been obvious to one of ordinary skill in the art to include the claimed features while implementing the method of Nelson in order to benefit from well known formatting techniques.

Regarding claim 12, although Nelson does not specifically show metadata structure including metadata in tagged fields, accessing the metadata from the tagged fields and storing the accessed metadata in the reconstructed metadata object, since the tagged fields identify each metadata object as shown in AAPA at Figure 2a, it would have been obvious to one of ordinary skill in the art to access metadata from the tagged fields. Furthermore, the accessed metadata has to be stored in the reconstructed metadata object in order to reconstruct the metadata object.

Claims 26, 42 correspond to a system and computer program product for claim 10, thus are rejected for the same reasons stated in claim 10 discussed above.

Claims 28, 44 correspond to a system and computer program product for claim 12, thus are rejected for the same reasons stated in claim 10 discussed above.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Zetts (US 2002/0035732) teaches timecode repair and synchronization in MPEG streams.

Zetts (US 2002/0048450) teaches processing MPEG streams for file index insertion.

Sony United Kingdom Limited (GB 2 371 889A) teach KVL data structures.

Wilkinson (US 2002/0164149) teaches combining video material and data.

Takagi et al (US 2003/0085997) teach asset management system and method.

Srikantan et al (US 2002/0056126) teach streaming a single media track to multiple clients.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 703-305-4134. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

25 June 2004



**UYEN LE**  
**PRIMARY EXAMINER**